

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77388 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Bambam Kumar son of Ghanshyam Yadav Village- Sajua Selhua PS-
Asarganj Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Surajgarha P.S. Case No. 243 of 2024, registered for the offences under Section 309(4) of the Bharatiya Nayaya Sanhita and further added Section 318(4), 316(2) and 316 (5) of the Bharatiya Nayaya Sanhita.

3. As per the prosecution case, the petitioner as informant lodged a case alleging that he was robbed of Rs. 1,27,000/- and mobile phone and tablet by two miscreants on a motorcycle. Subsequently, the police found that petitioner himself embezzled the money and lodged a false FIR in order to defraud his employees.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The date of occurrence is of 12.08.2024 and FIR was registered on 13.08.2024 and charge sheet has been submitted on 14.08.2024 and the undue haste shows possibility of police trying to save the real culprit. Learned counsel further submits that police has been demanding money from the petitioner and when the petitioner refused, he has been falsely implicated in this case. The alleged recovery shown from the petitioner is not believable as the said recovery at the instance of the petitioner is stated to be from a hut and near the bank of a river. The petitioner is in custody since 14.08.2024 and he has no criminal antecedent and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that at the instance of the petitioner recovery of cash and mobile phone and tablet were made.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner and his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M, Lakhisarai/concerned court, in connection with Surajgarha P.S. Case No. 243 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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